

3762



PATENT
Patent Ser. No.: 09/513,910
Attorney Docket: 53951-039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

BURBANK, et al.

Serial No.: 09/513,910

Filed: February 25, 2000

For: HEMOFILTRATION SYSTEMS AND
METHODS THAT MAINTAIN STERILE
EXTRACORPOREAL PROCESSING
CONDITIONS

Group Art Unit: 3762

Examiner: Patricia BIANCO

TECHNOLOGY CENTER R3700

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TRANSMITTAL TO THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a transmittal for filing a Response to Restriction Requirement.

I. DOCUMENTS ENCLOSED:

- Response to Restriction Requirement
- Return Postcard

6383/53951-039 DCWORD/7411 v1

1/21/2003 4:09:21 PM (18584)

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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Yolanda M. Hazell

Signature of Person Mailing Paper

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II. PAYMENT OF FEES

- A check in the amount of _____ is enclosed to cover the above fee(s).
- Charge Proskauer Rose LLP's Deposit Account No. 16-2500 in the amount of \$ _____.
- The Commissioner is authorized to charge Proskauer Rose LLP's Deposit Account No. 16-2500 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 16-2500.

Respectfully submitted,

PROSKAUER ROSE, LLP

Dated: 1/22/03

By: Mark A. Catan

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement mailed January 10, 2003, for which a shortened statutory period for response had been set to expire on February 10, 2003.

The above-identified Restriction Requirement identifies three inventions as follows:

Class I: 1-5 and 21-28 directed to the waste fluid line with an air break;

6383/53951-039 DCLIB1/219114 v1

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Yolanda M. Hazell
Signature of Person Mailing Paper

Class II: 6-12 and 29-36 directed to using a sterile filter in the replacement fluid path;
and

Class III: 13-20 directed to extended use features.

Applicants hereby elect the group II invention and request amendment of claims 1, 2, 3, 4, 5, 13, and 15 so that they appear as in the following full clean set of amended claims. The amendments to the claims are highlighted in the attached sheets showing the changes only to the amended claims. The amendments are made solely for the purpose of bringing all claims within the scope of the selected class and are not made in response to any prior art or other patentability requirement or objection.